Amendments to the Drawings:

The attached sheet of drawing includes changes to Fig. 14.

Attachment: Replacement Sheet for Fig. 14

REMARKS/ARGUMENTS

Claims 1-38 are pending in the present application.

This Amendment is in response to the Office Action mailed May 12, 2006. In the Office Action, the Examiner objected to the Specification and the Drawings. The Examiner further provisionally rejected claims 1-3, 13-17, and 27-29 under the judicially created doctrine of obviousness-type double patenting; rejected claims 1, 15, 21 under 35 U.S.C. §112, second paragraph; claims 4, 5, 8, 18, 19, 22, 30, 31, 34 under 35 U.S.C. §112, second paragraph; claims 7, 10, 21, 24, 33, 36 under 35 U.S.C. §112, second paragraph; claims 10, 24, 36 under 35 U.S.C. §112, second paragraph; claims 11, 25, 37 under 35 U.S.C. §112, second paragraph; claims 15 and 21 under 35 U.S.C. §101; claims 1, 13, 15, 27 under 35 U.S.C. §102(b) and §102(e); and claims 2-12, 14, 16-26, 28-38 under 35 U.S.C. §103(a). Applicant has amended the Specification, Figure 14, and claim15. Reconsideration in light of the amendments and remarks made herein is respectfully requested.

Drawings

1. The Examiner objected to Figure 5, block 506; Figure 9, block 916; and Figure 10, block 1010, for including reference characters not mentioned in the description. In response, Applicant has amended the Specification.

2. The Examiner objected to Figure 14, block 1404; Figure 21, block 2114, for not including reference characters mentioned in the description. In response, Applicant has amended the reference numbers in the paragraph starting on page 28, line 24 of Specification so that they correspond to the reference numbers in Figure 21, and has amended Figure 14 as follows:

Figure 14: reference "1408" of block "IS CWM DATA TYPE USER-DEFINED" is changed to "1404".

Therefore, Applicant respectfully requests the objection be withdrawn.

2. The Examiner objected to Figure 14 because the reference character 1408 was used to designate two different blocks. In response, Applicant has amended Figure 14 as described above. Therefore, Applicant respectfully requests the objection be withdrawn.

Specification

1.   Applicant has amended the Specification to provide the related application serial number. Applicant has also amended the Specification to correct erroneous reference numbers. No new matter were introduced. Support for the amendments can be found in Figure 5, Figure 9, and Figure 10.

2.   In section 5 of the Office action (page 4), the Examiner objected to the specification as being replete with terms that are not clear, concise and exact and stated that the specification should be revised carefully in order to comply with 35 U.S.C. §112, first paragraph. The Examiner cited the following terms as examples of some unclear, inexact or verbose terms used in the Specification: design items, design libraries, design model, subject areas, and generalization.

Applicant respectfully disagrees for the following reasons. The Specification clearly discloses that "the CWM conversion system 45 transforms the logical aspects of the CWM into design items in a design tool for a relational database" (Specification, page 12, lines 10-12) and that the corresponding design items comprise design libraries and the design libraries comprise design models (see, for example, Summary of Invention, Abstract). Since related items with the same names can be found in both the CWM (i.e., the input) and a database design (i.e., the output), a prefix will be added to the names of related items to distinguish them from one another (Specification, page 7, lines 3-5). Only the ER (i.e., logical) and the relational (i.e., physical) models are used as inputs. To retain clarity in the description, items in the CWM are referred to as ER <name> for items in logical aspects, or relational <name> for items in physical aspects. Some items from the CWM that are common to both ER and relational worlds will be prefixed by CWM. For the output, logical elements typically found in design tools with logical modeling support will be referred to as design <name>. Physical elements typically found in a DBMS or in the physical modeling of DBMS provided in database design tools will be referred to as DBMS <name>. (Specification, page 7, lines 17-25). The terms "libraries", "model", "subject areas", and "generalization" considered by the Examiner as unclear, inexact or verbose are in fact well-known to one skilled in the art of modeling, and are defined and used throughout the specification of the CWM standard (for example, version 1.0, October 2001) published by the

Object Management Group (OMG). See, for example, Figure 1.1 (Entity Relationship) at this OMG weblink:

http://www.omg.org/docs/formal/01-10-31.pdf

Patent documents are written for persons familiar with the relevant field; the patentee is not required to include in the specification information readily understood by practitioners, lest every patent be required to be written as a comprehensive tutorial and treatise for the generalist, instead of a concise statement for persons in the field. Verve LLC v. Crane Cams Inc., 311 F.3d 1116, 65 USPQ2d 1051, 1053-54 (Fed. Cir. 2002).

Therefore, Applicant submits that the Specification is written in "full, clear, concise, and exact terms", in accordance with the requirement of 35 U.S.C. §112, first paragraph. Accordingly, Applicant respectfully requests the objection under 35 U.S.C. §112, first paragraph, be withdrawn.

Double Patenting

The Examiner provisionally rejected claims 1-3, 13-17, and 27-29 under the judicially created doctrine of obviousness-type double patenting, as being unpatentable over claims 1-3, 21-23, and 41-43 of co-pending Application No. 10/716,287.

In response, Applicant is filing concurrently a terminal disclaimer in compliance with 37 CFR 1.321(c) to overcome the provisional rejection.

However, Applicant respectfully disagrees with the Examiner that claims 1-3, 21-23, and 41-43 of co-pending Application No. 10/716,287 recite all the elements of claims 1-3, 13-17, and 27-29 of the present application (Office action, page 5, lines3-5). Claims 1-3, 21-23, and 41-43 of co-pending Application No. 10/716,287 might render obvious but do not anticipate claims 1-3, 13-17, and 27-29 of the present application.

Rejection Under 35 U.S.C. § 112

1.   The Examiner rejected claims 1, 15, 21 under 35 U.S.C. §112, second paragraph as being indefinite for failing to particularly pointing out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the Examiner states that it is unclear to the

Examiner as to what the "logical aspects" of the common warehouse model is. The Examiner erroneously states that "computer data" is usually represented by an ER diagram. The Examiner states that the terms "design items", "design libraries", and "design models" are unclear to the Examiner. The Examiner then assumes that Applicant is referring to a relational database schema and the properties associated with such schema. The Examiner's assumption is incorrect. By "design items", Applicant is referring to database design elements in a database design tool, not a schema in a database.

Applicant respectfully traverses the rejection for the following reasons.

The test for definiteness under 35 U.S.C. § 112, second paragraph, is whether "those skilled in the art would understand what is claimed when the claim is read in light of the specification." *Orthokinetics, Inc. v. Safety Travel Chairs, Inc.*, 806 F.2d 1565, 1576, 1 USPQ2d 1081, 1088 (Fed. Cir. 1986). Here, the Examiner has not shown that those skilled in the art would not understand what is claimed when the claim is read in light of the specification. The meaning of any of the above terms is clear and definite to one skilled in the art of database modeling and design. These terms are well-known to one skilled in the art of database modeling, and are specified in the specification of the CWM standard (for example, version 1.0, October 2001) published by the Object Management Group (OMG). See, for example, Figure 1.1 (Entity Relationship, i.e., logical information) at this OMG weblink:
http://www.omg.org/docs/formal/01-10-31.pdf

Patent documents are written for persons familiar with the relevant field; the patentee is not required to include in the specification information readily understood by practitioners, lest every patent be required to be written as a comprehensive tutorial and treatise for the generalist, instead of a concise statement for persons in the field. Verve LLC v. Crane Cams Inc., 311 F.3d 1116, 65 USPQ2d 1051, 1053-54 (Fed. Cir. 2002).

Accordingly, Applicant respectfully requests the rejection under 35 U.S.C. §112, second paragraph, be withdrawn.

2. The Examiner rejected claims 1, 15, 21 under 35 U.S.C. §112, second paragraph as being indefinite for failing to particularly pointing out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the Examiner states that the claims fail to

disclose what subject areas are. The Examiner then assumes that the ER subject area refers to a relational schema. The Examiner's assumption is incorrect. The ER subject area is part of the logical information about a CWM model, and is well-known to one skilled in the art of database modeling. It is specified in the specification of the CWM standard (for example, version 1.0, October 2001) published by the Object Management Group (OMG). See, for example, Figure 1.1 (Entity Relationship) at this OMG web link:

http://www.omg.org/docs/formal/01-10-31.pdf

Applicant respectfully traverses the rejection for the same reasons stated above in item 1 of this section. Accordingly, Applicant respectfully requests the rejection under 35 U.S.C. §112, second paragraph, be withdrawn.

3. The Examiner rejected claims 7, 10, 21, 24, 33, 36 under 35 U.S.C. §112, second paragraph as being indefinite for failing to particularly pointing out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the Examiner states that the Applicant fails to define the term "generalization". The Examiner assumes that generalization means a reference from one pointer to another. This assumption is incorrect. As well known in the art, generalization is a relationship that represents an inheritance.

Applicant respectfully traverses the rejection for the same reasons stated above in item 1 of this section. Accordingly, Applicant respectfully requests the rejection under 35 U.S.C. §112, second paragraph, be withdrawn.

4. The Examiner rejected claims 10, 24, 36 under 35 U.S.C. §112, second paragraph as being indefinite for failing to particularly pointing out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the Examiner states that the Applicant fails to define the term "entity subtype relationship".

The term "entity subtype relationship" is well known in the art. In Entity Relationship design, the concept of a relationship is well known. One specific type of relationship is a subtype, otherwise known as an "IsA" relationship between two entities, where one is the supertype and the other is the subtype, as opposed to, for example, a "HasA" kind of relationship. This is well known in the art, for example, see the following web links:

http://www.cs.rpi.edu/~zaki/cs4380/Spring02/lectures/lecture4.ppt

http://www.essentialstrategies.com/publications/modeling/chen.htm

http://web.nps.navy.mil/~drdolk/Entity_Relationship_Model.ppt

Applicant respectfully traverses the rejection for the same reasons stated above in item 1 of this section. Accordingly, Applicant respectfully requests the rejection under 35 U.S.C. §112, second paragraph, be withdrawn.

5. The Examiner claims 11, 25, 37 under 35 U.S.C. §112, second paragraph as being indefinite for failing to particularly pointing out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the Examiner states that the Applicant fails to define the term "non-subtype relationship". This term is well known in the art. A non-subtype relationship is any relationship that is not a subtype relationship.

Applicant respectfully traverses the rejection for the same reasons stated above in item 1 of this section. Accordingly, Applicant respectfully requests the rejection under 35 U.S.C. §112, second paragraph, be withdrawn.

Rejection Under 35 U.S.C. § 101

In the Office Action, the Examiner rejected claims 15 and 21 under 35 U.S.C. §101 as being unpatentable because the claimed invention is directed to non-statutory subject matter.

1. Specifically, the Examiner states that Claim 15 recites "a machine-accessible medium" and this includes transmission medium. The Examiner states that "implementing the claim would render the result of the claim as intangible", that "[a] signal-bearing medium is not tangible, and cannot tangibly embody a computer program or process since a computer cannot understand/realize (i.e., execute) the computer program or process when embodied on the data signal", and concludes that "a data signal does not meet the "useful, concrete, and tangible" requirement. Applicant respectfully disagrees.

The Examiner has not proved that an electromagnetic medium such as an RF link is not tangible. A RF refers to that portion of the electromagnetic spectrum in which electromagnetic (EM) waves can be generated by alternating current fed to an antenna. An electromagnetic

wave carries energy and momentum which may be imparted when it interacts with matter. An EM wave may consist of particles called photon. These elements are clearly tangible and concrete. They do not merely represent a form of energy.

It appears that the Examiner is already applying the interim examination guidelines **recently proposed and still under evaluation,** by the USPTO that characterize signal claims as non-statutory subject matter. The USPTO argues that a signal is not a process, composition of matter, machine, or article of manufacture. The signal has "no physical structure" and does not "itself perform any useful, concrete, and tangible result" and therefore is a non-statutory natural phenomenon. "These interim guidelines propose that such signal claims are ineligible for patent protection because they do not fall within any of the four statutory classes of Sec. 101. Public comment is sought for further evaluation of this question." See Interim Guidelines for Examination of Patent Applications for Patent Subject Matter Eligibility, 1300 OG 142 (November 22, 2005).

This proposed USPTO interim guideline on signal claims is still being evaluated, with public comment being sought for the evaluation. Applicant does not agree with the USPTO's proposition that an electromagnetic signal does not have a physical structure and does not itself perform a useful, concrete, and tangible result. This type of signal does have a physical structure though not visible to the naked eye and does itself perform a useful, concrete, and tangible result.

Before the publication of this **proposed** interim guideline, training materials distributed by the USPTO to teach how to use the examination guidelines for computer-related inventions in effect since March 29, 1996 (MPEP, Chapter 21, section 2106) included a signal claim example listed as Example 13 under Automotive Manufacturing Plant. The claim example was "A computer data signal embodied in a carrier wave comprising a compression source code segment comprising [the code]; and an encryption source code segment comprising [the code]." The example was accompanied by an analysis of the claim and the signal claim was determined to be statutory subject matter. Furthermore, in Appeal No. 2002-1554 in the case of *Ex parte Rice* (Application 08/003,996), the Board of Patent Appeals and Interferences reversed an examiner's rejection of signal claims as being directed to non-statutory subject matter under 35 U.S.C. §101, holding that electromagnetic signals, although "transitory and ephemeral in nature", are statutory subject matter.

Although Applicant disagrees with the Examiner's rejection of claims 15 under 35 U.S.C. §101, the rejection being based on the currently proposed USPTO interim guideline, Applicant has amended claim 15 to limit claims 15 to machine-accessible <u>storage</u> medium in order to obtain a timely Notice of Allowance.

Accordingly, Applicant submits that amended claim 15 and its dependent claims are statutory under 35 U.S.C. §101 and respectfully requests the rejection be withdrawn.

2.   Specifically, the Examiner states that Claim 21 recites "a memory coupled to the processor, the memory containing program code that, when executed by the processor, causes the processor to perform the operation". The Examiner states that the word "program code" is used on page 10 of the Specification which recites that the program code can be stored in a process, or a machine accessible, or transmitted by a computer data signal embodied in a carrier wave, etc. The Examiner then states that "implementing the claim would render the result of the claim as intangible", that "[a] signal-bearing medium is not tangible, and cannot tangibly embody a computer program or process since a computer cannot understand/realize (i.e., execute) the computer program or process when embodied on the data signal", and concludes that "a data signal does not meet the "useful, concrete, and tangible" requirement. Applicant respectfully submits that the Examiner's rejection is clearly erroneous. Claim 21 is a system claim that clearly recites a processor, a memory coupled to the processor, the memory containing program code. It is clear from the claim that the program code is contained in the memory. Applicant fails to understand how "implementing the claim would render the result of the claim as intangible" and how the Examiner could find in Claim 21 a transmission medium or a data signal. Accordingly, Applicant respectfully requests the rejection be withdrawn.

Rejection Under 35 U.S.C. § 102(b)

1.   In the Office Action, the Examiner rejected claims 1, 13, 15, 27 under 35 U.S.C. §102(b), as being anticipated by a non-patent literature titled "A Logical Design Methodology for Relational Database Using the Extended Entity-Relationship Model" by Toby J. Teorey *et al*

("Teorey"). Applicant respectfully traverses the rejection and submits that the Examiner has not met the burden of establishing a prima facie case of anticipation.

Teorey discloses that a methodology for relational database design can be derived using a variety of extensions to the ER conceptual model (Teorey, Abstract page 1; Conclusion, page 220).

Teorey does not disclose, either inherently or explicitly, the following element: converting logical aspects of a common warehouse model (CWM) to corresponding design items for a relational database by processing in a hierarchical manner the logical aspects and creating the corresponding design items, the logical aspects comprising entity-relationship (ER) libraries, the ER libraries comprising ER models, the corresponding design items comprising design libraries, the design libraries comprising design models.

It is not possible for Teorey to refer to CWM since CWM did not exist at the time Teorey was published, namely 1986.

To anticipate a claim, the reference must teach every element of the claim. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." Vergegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ 2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the...claim." Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ 2d 1913, 1920 (Fed. Cir.1989). Since the Examiner failed to show that Teorey teaches or discloses any of the elements of the claims, the rejection under 35 U.S.C. §102 is improper.

2.   The Examiner further rejected claims 1, 13, 15, 27 under 35 U.S.C. §102(b), as being anticipated by a non-patent literature titled "Designing and Creating Relational Schemas with a CWM-Based Tool" by Kumpon Farpinyo *et al* ("Farpinyo"). Applicant respectfully traverses the rejection and submits that the Examiner has not met the burden of establishing a prima facie case of anticipation.

Farpinyo discloses that a tool called ER2CWM can create CWM relational database schemas from physical data models represented by ER diagrams (Abstract), but does not disclose the methodology. Furthermore, Farpinyo considers only the part of CWM for relational database

schemas called CWM Relational (Farpinyo, page 456, last 2 lines). As well known in the art, CWM Relational is the part that contains the physical information. Refer, for example, to this OMG weblink:

http://www.omg.org/docs/formal/03-03-29.pdf

Since Farpinyo only deals with the CWM Relational, i.e., physical information or aspects, then Farpinyo cannot possibly anticipate claims 1, 13, 15, 27 which are directed to converting logical aspects of CWM to design elements.

To anticipate a claim, the reference must teach every element of the claim. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." Vergegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ 2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the...claim." Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ 2d 1913, 1920 (Fed. Cir.1989). Since the Examiner failed to show that Farpinyo teaches or discloses any of the elements of the claims, the rejection under 35 U.S.C. §102 is improper.

Therefore, Applicant submits that independent claims 1, 13, 15, 27 and their respective dependent claims are distinguishable over the cited prior art references. Accordingly, Applicant respectfully requests the rejection under 35 U.S.C. §102(b) be withdrawn.

Rejection Under 35 U.S.C. § 102(e)

In the Office Action, the Examiner rejected claims 1, 13, 15, 27 under 35 U.S.C. §102(b), as being anticipated by Shinjo (U.S. Patent Application Publication 2004/0133581 A1). The Examiner states that "although the primary reference does not refer to CWM, it is an intended use to convert CWM information into a relational database through an ER Model". Thus, the Examiner admits that Shinjo does not refer to CWM. Since Shinjo does not refer to CWM, Shinjo cannot possibly teach any one of the elements of claims 1, 13, 15, 27.

To anticipate a claim, the reference must teach every element of the claim. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." Vergegaal Bros. v. Union Oil Co. of

California, 814 F.2d 628, 631, 2 USPQ 2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the...claim." Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ 2d 1913, 1920 (Fed. Cir.1989). Since the Examiner failed to show that Shinjo teaches or discloses any one of the above elements, the rejection under 35 U.S.C. §102 is improper.

Therefore, Applicant submits that claims 1, 13, 15, 27 are distinguishable over the cited prior art reference. Accordingly, Applicant respectfully requests that the rejection under 35 U.S.C. §102(e) be withdrawn.

Rejection Under 35 U.S.C. § 103(a)

In the Office Action, the Examiner rejected claims 2-12, 14, 16-26, 28-38 under 35 U.S.C. §103(a) as being unpatentable over Teorey in view of Farpinyo. Applicant respectfully traverses the rejection and submits that the Examiner has not met the burden of establishing a prima facie case of obviousness.

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. *MPEP §2143, p. 2100-129 (8th Ed., Rev. 2, May 2004)*. Applicant respectfully submits that there is no suggestion or motivation to combine their teachings, and thus no *prima facie* case of obviousness has been established.

Teorey discloses that a methodology for relational database design can be derived using a variety of extensions to the ER conceptual model, as discussed above. Teorey does not refer to CWM.

Farpinyo discloses that a tool called ER2CWM can create CWM relational database schemas from physical data models represented by ER diagrams (Abstract), but does not disclose the methodology, and only uses the physical information part of CWM, not the logical

information part. In other words, Farpinyo does not consider the ER elements recited in claims 2-12, 14, 16-26, 28-38.

Teorey and Farpinyo, taken alone or in any combination, do not disclose, suggest, or render obvious, any of the following elements (a) scanning through the ER libraries; (b) for a first of the ER libraries, creating a corresponding first design library; (c) for each of the ER models in the first ER library, creating a corresponding design model in the corresponding first design library to hold corresponding information; (d) processing each of the ER models to produce corresponding information for the corresponding design model; (e) determining if there are any references between the ER models; and (f) if there are any references between the ER models, specifying corresponding references in corresponding design models.

The Examiner failed to establish a prima facie case of obviousness or a motivation to combine the references. When applying 35 U.S.C. 103, the following tenets of patent law must be adhered to: (A) The claimed invention must be considered as a whole; (B) The references must be considered as a whole and must suggest the desirability and thus the obviousness of making the combination; (C) The references must be viewed without the benefit of impermissible hindsight vision afforded by the claimed invention; and (D) Reasonable expectation of success is the standard with which obviousness is determined. Hodosh v. Block Drug Col, Inc., 786 F.2d 1136, 1143 n.5, 229 USPQ 182, 187 n.5 (Fed. Cir. 1986). "When determining the patentability of a claimed invention which combined two known elements, 'the question is whether there is something in the prior art as a whole suggest the desirability, and thus the obviousness, of making the combination.'" In re Beattie, Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co., 730 F.2d 1452, 1462, 221 USPQ (BNA) 481, 488 (Fed. Cir. 1984). To defeat patentability based on obviousness, the suggestion to make the new product having the claimed characteristics must come from the prior art, not from the hindsight knowledge of the invention. Interconnect Planning Corp. v. Feil, 744 F.2d 1132, 1143, 227 USPQ (BNA) 543, 551 (Fed. Cir. 1985). To prevent the use of hindsight based on the invention to defeat patentability of the invention, this court requires the Examiner to show a motivation to combine the references that create the case of obviousness. In other words, the Examiner must show reasons that a skilled artisan, confronted with the same problems as the inventor and with no knowledge of the claimed invention, would select the prior elements from the cited prior

references for combination in the manner claimed. In re Rouffet, 149 F.3d 1350 (Fed. Cir. 1996), 47 USPQ 2d (BNA) 1453. "To support the conclusion that the claimed invention is directed to obvious subject matter, either the references must expressly or implicitly suggest the claimed invention or the Examiner must present a convincing line of reasoning as to why the artisan would have found the claimed invention to have been obvious in light of the teachings of the references." Ex parte Clapp, 227 USPQ 972, 973. (Bd.Pat.App.&Inter. 1985). The mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination. In re Mills, 916 F.2d 680, 16 USPQ2d 1430 (Fed. Cir. 1990). Furthermore, although a prior art device "may be capable of being modified to run the way the apparatus is claimed, there must be a suggestion or motivation in the reference to do so." In re Mills 916 F.2d at 682, 16 USPQ2d at 1432; In re Fritch, 972 F.2d 1260, 23 USPQ2d 1780 (Fed. Cir. 1992).

In the present invention, the cited references do not expressly or implicitly suggest at least one of the above elements. In addition, the Examiner failed to present a convincing line of reasoning as to why a combination of Teorey and Farpinyo is an obvious application of converting logical aspect of CWM to design elements for relational database.

Therefore, Applicant submits that claims 2-12, 14, 16-26, 28-38 are distinguishable over the cited prior art references. Accordingly, Applicant respectfully requests the rejection under 35 U.S.C. §103(a) be withdrawn.
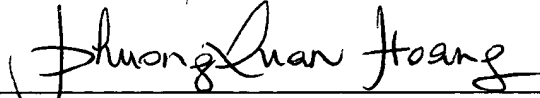
Conclusion

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

UNISYS CORPORATION

Dated: October 12, 2006   By_____

Phuong-Quan Hoang
Reg. No. 41,839
Tel.: 949-380-5643 (Pacific Coast)
Fax: 949-380-5254

Attachment

Unisys Corporation
25725 Jeronimo Road, MS 400
Mission Viejo, CA 92691

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8A)

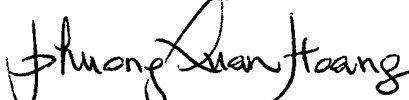*I hereby certify that this correspondence is, on the date shown below, being:*

MAILING   **FACSIMILE**

☑ *deposited with the United States Postal Service*   ☐ *transmitted by facsimile to the United States Patent*
as first class mail in an envelope addressed to: *and Trademark Office.*
Commissioner for Patents, PO Box 1450,
Alexandria, VA 22313-1450.

_____ October 12, 2006

Date: October 12, 2006   *Phuong-Quan Hoang*   *Date*